Date: August 15, 2016

Committee members present: Jennifer Patterson, Chair; Alana Kimball, Maureen Redmond-Scura, Tom Croteau

Other Board member present: Barb Higgins

Administration: Terri Forsten, Superintendent

Jennifer Patterson convened the meeting at 5:34 p.m. The purpose of the meeting was to begin to review Concord School Board’s policies in a systematic way and determine what changes may need to be made. Many of the policies have not been reviewed for a number of years.

Superintendent Forsten described a chart displaying current School Board policies, New Hampshire School Board Association recommended policies, and her reflections on the changes that might be needed. Ms. Patterson suggested creating one document online that all Committee members could comment on. She noted that there is complexity and interplay among some policies that might take a considerable amount of time to review.

Tom Croteau also suggested creating a shared document for this work on policies. He noted that Ms. Patterson’s history with Board policy development will be helpful.

Superintendent Forsten suggested having the district policies, the NHSBA policies, and the statutes posted together in a “google doc.” Mr. Croteau noted that committee members could also note those instances when the District attorney might need to review a given policy.

Policy 101.1 Save Harmless Legislation, adopted in 1974, revised 1984 holds harmless some staff from liability for actions they’ve taken within the scope of their employment. Ms. Patterson noted that the NHSBA policy only indemnifies School Board members. She suggested reviewing the cited statutes and establishing a process for review. The NHSBA model policy requires that the district purchase insurance – also supported by the statute. Maureen Redmond-Scura noted that the existing policy is all-inclusive and somewhat broad.

Policy 110 Code of Ethics – Ms. Patterson noted that NHSBA policies BCA and BBAA could be reviewed with this policy. She said that this policy is essentially up to date and useful.
Policy 111 Philosophy of the Board of Education – Ms. Patterson noted that she did not like related NHSBA policy AD as it was too brief. She did feel that the policy should be reviewed more frequently.

Policy 112 Publicity Releases – Ms. Forsten felt this policy would need to be expanded, and that the Board might look at the NHSBA model policy, as it is more in line with what the District is doing.

Policy 115 Filling a Vacancy on the School Board – this was a recent policy, with a corresponding NHSBA policy BBBC. Mr. Croteau commented that there might be some sections that could be added, especially a reference to RSA 197A:26 regarding vacancies.

Policy 121 Elective Board – Clint Cogswell sent a comment that he was not sure why the Board would change the names of the officers; the community already refers to the officers as President, Vice President and Secretary. This policy does not need revision.

Policy 122 Treasurer – this position is specifically written in the Charter. No changes can be made to this policy without amending the Charter itself. Ms. Redmond-Scura noted that it might be helpful to have some changes, but as the Charter requires a Charter Commission in 2021, at which time some changes could be suggested, she recommended only minor changes. The current policy as worded is consistent with the Charter. Mr. Croteau asked if the current Treasurer keeps or causes to be kept records of all transactions of the District; the response was that the Treasurer does “cause to be kept.”

Policy 123 Clerk – Ms. Redmond-Scura said that the policy references state statutes prior to the current Charter and does not reference the Charter of 2012, and may need to be updated to reflect that.

Policies 124 School Board Standing Committees and 125 Student Representative(s) – School Board are new and do not need revision.

Policy 131 Meetings – Ms. Patterson noted that this policy needs to be revised. She looked at NHSBA policies BEA and BEDA, and BEDH. She suggested starting off with BEA and BEDA and incorporating some, but not all, aspects of BEDH.

Policy 131.1 Agenda – Administration – Mr. Croteau noted that it is remarkable the number of people who need to be notified of every Board meeting. Superintendent Forsten noted that we currently do follow the policy. He asked how members of the public would be notified of any emergency meetings.

Policy 132 Agenda/Preparation/Inclusion of Items – Mr. Croteau suggested combining these two policies together with Policy 131. He noted some syntactical revisions, and added some text to the second paragraph regarding personnel matters. The NHSBA uses the phrase “after consideration and at the Board’s discretion,” which he feels should be added. He also noted a reference to RSA 91A:3 regarding student privacy that needs to be included.
Policy 133 Minutes – Ms. Patterson noted that this policy needs minimal revision, as statutory references may need to be updated. She recommended deleting RSA 91-A 2. II. The other references to RSA 91-A:3 and RSA 91-A:4 should be sufficient. As RSA 91-A is amended nearly every legislative session, she suggested changing the last sentence to reflect that minutes shall be kept in accordance to RSA 91-A sections III and IV and will be kept by the Superintendent who will make them available in conformity with the statute. Mr. Croteau noted that members of the public would need to refer to the RSA separate from the online policies. Superintendent Forsten suggested creating live links to the RSAs in the policies themselves.

Policy 134 Executive Sessions – Ms. Patterson noted that this policy simply reflects the state statute. She recommended adopting NHSBA policy BECR in its place.

Policy 135 Rules of Order – Ms. Patterson noted that she prefers the District’s policy over NHSBA policy BEDD, but that section 7. related to executive session should be removed and be addressed in a separate policy.

Policy 140 School Board Policies – Mr. Croteau noted that the NHSBA has three policies that referred to this policy, some more than a page in length. He liked the three sections of the current policy: purpose, policy development and dissemination, and added as the third “content,” moving “dissemination” to the fourth place. The NHSBA policy recommends that Concord School Board policies always reference NHSBA policies. Ms. Patterson suggested that this policy might encompass an entire meeting for its review. Mr. Croteau noted that legal constraints need to be discussed; policies vs. procedures need to be define; requests for exceptions must be made to the Board.

Policy 140.1 Superintendent Duties – Ms. Kimball noted that this policy should be listed only in the 200 section (it is a duplicate policy). She questioned whether every complaint or communication should be referred to the Superintendent. The NHSBA policy defines the role of the Superintendent as managerial and policy-related.

Policy 140.2 Administrative Prerogative in the Absence of Policy – Superintendent Forsten noted that this is also a duplicate policy. The NHSBA policy and the School Board policies are very similar. This should be listed only in Section 200.

Policy 141 Policy Development/Revision – Ms. Redmond-Scura noted that the main difference between this and the NHSBA policy is that policy revisions were tasked to the Superintendent. Ms. Patterson suggested holding off on changes to this policy at this time. Mr. Croteau suggested combining Policies 140.2 and 141.

Policy 142 Exceptions to Policy – Ms. Redmond-Scura noted that this policy is essentially identical to the NHSBA policy.

Superintendent Forsten noted that Policy 111 Philosophy of the Board of Education and Policy 142 Exceptions to Policy are ready to go before the Board for a first reading to reflect the fact that they have been reviewed.

Policy 150 School Board Electronic Communication – Ms. Patterson noted that this policy is fairly recent; her only concern was with the first two sentences in the third
paragraph that appear to be advice to Board members rather than policy language. She suggested removing those sentences. This policy will require more review.

Policy 160 Non-Discrimination – Ms. Patterson noted that she did not check the federal law citations but assumed they were correct. She noted the extensive procedure for grievances. NHSBA has two separate policies: one for non-discrimination and the other for grievance procedure, which is similar to ADA complaints. It may not be required by law for other forms of discrimination. We may be giving a greater procedural right to people than we are otherwise to do. She suggested reviewing NHSBA ACE to make sure the Board policy is up to date. Superintendent Forsten asked whether the word “transgender” should be added. Mr. Croteau suggested asking District counsel or the NHSBA attorney.

Policy 170 Board Member Development – Mr. Croteau asked which provisions of this policy the Board currently participates in; Superintendent Forsten noted that she maintains a calendar of professional development opportunities for Board members.

Policy 171 Board Member Conflict of Interest – Ms. Patterson noted that the NHSBA model policy seemed stronger, and recommended comparing the two in future review.

Policy 180 Reports and Research – Superintendent Forsten suggested that this policy be more closely reviewed when the “google doc” is created.

Policy 210 School District Calendar – Ms. Kimball noted that the NHSBA policy is very specific regarding numbers of instructional days or numbers of instructional hours. Superintendent Forsten suggested a further review of this policy. NHSBA policy ICA included more information. Ms. Kimball noted that language referring to receiving district communication should be included.

Policy 211 Superintendent Duties – this was discussed. Ms. Kimball noted additional NHSBA model policies include CB, CBB, CBG, and CBI.

Policy 211.1 Exemption from Immunization/TB Examination – Ms. Kimball noted that state statutes are referenced in the NHSBA model policy that are not referenced in the School Board policy. The NHSBA policy is also more detailed. Mr. Croteau suggested checking with the NHIAA regarding immunization exemptions for students to play sports.

Policy 211.1 Foreign Study Abroad – Ms. Kimball noted that she combined Policies 211.1 and 516. She noted that there are two different visas referenced in the NHSBA policy.

Policy 212 Superintendent, Approval of Employees – Ms. Kimball recommended combining Policies 212 and 212.1 Summer Vacancies. She recommended eliminating Policy 693.

Superintendent Forsten noted that the amendment for Policy 462 Criminal Records Check is quite lengthy. She provided an overview of the legislative change, which stated that only Superintendents can open the letters from the Department of Safety
regarding criminal records checks. The amendment to the policy provides some flexibility to the administration. No immediate action on this revised policy is required.

There was further discussion on the background check of volunteers in the schools. Mr. Croteau asked if the final condition of hire was based on whether the applicant’s criminal records background check was acceptable.

The Committee voted 4-0 to adjourn (motioned by Tom Croteau, seconded by Ms. Redmond-Scura).

The Committee adjourned at 7:25 p.m.

Respectfully submitted,

Jennifer Patterson, Chair
Linden Jackett, Recorder